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Salt Lake City, UT 84114  
Telephone (801) 538-3872

**RECEIVED**

**FEB 10 2006**

UTAH STATE  
INSURANCE DEPT.

**BEFORE THE INSURANCE COMMISSIONER  
OF THE STATE OF UTAH**

**COMPLAINANT:**

UTAH INSURANCE DEPARTMENT

**STIPULATION  
&  
ORDER**

**RESPONDENT:**

MILLCREEK LAND TITLE INSURANCE, INC.  
1592 South 500 West, Suite 202  
Woods Cross, UT 84010  
License No. 98484

Docket No. 2006-012 PC

Enf. Case No. 1722

**STIPULATION**

1. Respondent, Millcreek Land Title Insurance, Inc., is a licensed title insurance agency in the State of Utah, holding License No. 98484.

2. Respondent stipulates with the Complainant, Utah Insurance Department, as follows:

- a. If a hearing were held, witnesses called by the Complainant could offer and introduce evidence that would support the Findings of Fact herein;
- b. Respondent admits the Findings of Fact and Conclusions made therefrom;
- c. Respondent stipulates to the summary entry of the Order herein which shall be in lieu of other administrative proceedings by Complainant in this matter; and

d. Respondent and Complainant have negotiated the terms of the Order entered herein and Respondent agrees to its entry and further agrees to be bound by all its terms.

3. Respondent is aware of its right to a hearing at which it may be represented by counsel, present evidence and cross-examine witnesses. Respondent has irrevocably waived its right to such hearing and to any appeal related thereto.

4. Respondent admits the jurisdiction of the State of Utah Insurance Commissioner as to all matters herein.

5. Respondent is acting herein free from any duress or coercion of any kind or nature, having been advised fully as to its rights set forth herein.

6. Respondent acknowledges that the issuance of this Order by the Commissioner is solely for the purpose of disposition of the matter entitled herein.

DATED this 10 day of February, 2006.



MILLCREEK LAND TITLE INSURANCE, INC.  
Michael Bringhurst, President



UTAH INSURANCE DEPARTMENT  
M. Gale Lemmon, Assistant Attorney General

Based upon the foregoing Stipulation and information in the file, the Presiding Officer makes the following Findings of Fact:

### **FINDINGS OF FACT**

1. Respondent became licensed as a title insurance agency in the State of Utah on May 1, 2002, and began conducting Real Estate closings without first filing its escrow rates with the department.

2. Respondent continued conducting Real Estate closings without having any filed escrow rates until August 24, 2005, when it filed its escrow rates with the department. During the period of time Respondent had no filed escrow rates it conducted at least 1,820 Real Estate closings.

Based upon the foregoing Stipulation and Findings of Fact, the Presiding Officer enters the following Conclusions of Law:

### **CONCLUSIONS OF LAW**

1. In conducting Real Estate Closings when it did not have escrow rates filed with the department, Respondent violated Utah Code Annotated § 31A-19a-209(6)(b), 1999.

Based upon the foregoing Stipulation, Findings of Fact and Conclusions of Law, the Presiding Officer herewith enters the following Order:

### **ORDER**

IT IS HEREBY ORDERED:

1. Respondent is assessed an administrative forfeiture in the amount of \$5,000.00, to be paid within 30 days of the date of this Order.

2. Respondent's title insurance agency license is placed on probation for a period of 24

months, beginning with the date of this Order. The terms of probation are that Respondent shall pay the forfeiture assessed herein in a timely manner and shall have no further violations of the Utah Insurance Code or Rules or of any Order of the Commissioner.

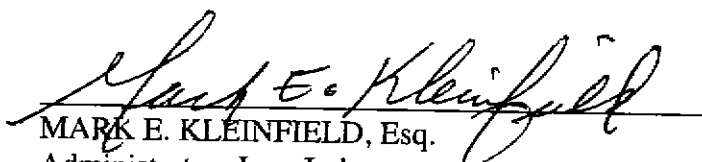
### NOTIFICATION

Respondent is hereby notified that failure to abide by the terms of this Order may subject it to further penalties, including additional forfeitures of up to \$5,000.00 per violation and the suspension or revocation of its license, and the filing of an action to enforce this Order in the District Court, which may impose penalties of up to \$10,000.00 per day for continued violation.

You are further notified that other jurisdictions in which you may be licensed may require that you report this action to them.

DATED this 21<sup>st</sup> day of February, 2006.

D. KENT MICHIE  
INSURANCE COMMISSIONER

  
MARK E. KLEINFELD, Esq.  
Administrative Law Judge  
Utah Insurance Department  
State Office Building, Room 3110  
Salt Lake City, Utah 84114  
Telephone (801) 538-3800

CERTIFICATE OF MAILING

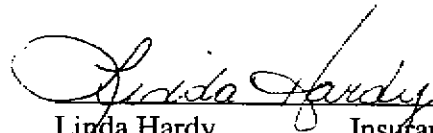
I do hereby certify that on this date I mailed, by regular mail, postage prepaid, a true and correct copy of the attached:

**ORDER  
ON  
STIPULATION**

To the following:

**MILLCREEK LAND TITLE INSURANCE, INC  
1592 South 500 West, Suite 202  
Woods Cross, UT 84010  
&**

DATED this 27<sup>th</sup> day of February, 2006



Linda Hardy Insurance Technician  
Utah Department of Insurance  
State Office Building, Room 3110  
Salt Lake City, UT 84114-6901  
(801) 538-3813

**UTAH  
Invoice**

Page 1

Printed Date: February 27, 2006

Invoice Date: February 27, 2006  
Balance Due: \$5,000.00  
Due Date: April 03, 2006  
Invoice ID: 281312

MILLCREEK LAND TITLE INSURANCE INC  
1592 S 500 W STE 202  
WOODS CROSS UT 84010-7457

**Item Description**

Monetary Penalty Agency

**Amount**

\$5,000.00

**Original Amount Due** \$5,000.00

**E-Case 1722 Docket 2006-012 PC**

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**UTAH  
Invoice**

**E-Case 1722 Docket 2006-012 PC**

Printed Date: February 27, 2006

Invoice Date: February 27, 2006  
Balance Due: \$5,000.00  
Due Date: April 03, 2006  
Invoice ID: 281312

Make checks payable to: Utah Insurance Department

Send payment to:

Utah Insurance Department  
3110 State Office Building  
Salt Lake City, UT 84114-6901

Detach and Return with Payment